

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE ALTA MESA RESOURCES, INC.
SECURITIES LITIGATION

CASE NO. 4:19-CV-00957
(CONSOLIDATED)

JUDGE GEORGE C. HANKS, JR.

STIPULATION PERMITTING ADDITIONAL DEPOSITIONS

Court-appointed Lead Plaintiffs and Class Representatives, FNY Partners Fund LP, FNY Managed Accounts, LLC, Paul J. Burbach, and United Association National Pension Fund (f/k/a Plumbers and Pipefitters National Pension Fund) (collectively, “Lead Plaintiffs”), along with Class Representative Camelot Event Driven Fund, a series of Frank Funds Trust, (together with Lead Plaintiffs, “Class Plaintiffs”), along with the Alyeska Plaintiffs¹ and the Orbis Plaintiffs² (together with Class Plaintiffs, “Plaintiffs”) and defendants James T. Hackett, Thomas J. Walker, Jeffrey H. Tepper, Diana J. Walters, Stephen Coats, Harlan H. Chappelle, Michael E. Ellis, Ronald Smith, David M. Leuschen, Pierre F. Lapeyre Jr., William W. McMullen, Don Dimitrievich, Donald Sinclair, Riverstone Holdings LLC (“Riverstone”), Bayou City Energy LLC (“Bayou City”), HPS

1 The “Alyeska Plaintiffs” are Alyeska Master Fund, L.P., Alyeska Master Fund 2, L.P., and Alyeska Master Fund 3, L.P., plaintiffs in case no. 4:22-cv-01189 (the “Alyeska Action”). On November 30, 2022, the Court consolidated the Alyeska Action with case no. 4:19-cv-00957.

2 The “Orbis Plaintiffs” are Orbis Global Equity LE Fund (Australia Registered), Orbis Global Equity Fund (Australia Registered), Orbis Global Balanced Fund (Australia Registered), Orbis SICAV, Orbis Institutional Global Equity L.P., Orbis Global Equity Fund Limited, Orbis Institutional Funds Limited, Allan Gray Australia Balanced Fund, Orbis OEIC and Orbis Institutional U.S. Equity L.P., plaintiffs in case no. 4:22-cv-02590 (the “Orbis Action”). On November 30, 2022, the Court consolidated the Orbis Action with case no. 4:19-cv-00957.

Investment Partners, LLC (“HPS”), and ARM Energy Holdings LLC (“ARM”) (“Defendants” and, collectively with Plaintiffs, the “Parties”), by and through their respective counsel, hereby enter into this Stipulation allowing Plaintiffs to take more than the ten depositions per side prescribed by Fed. R. Civ. P. 30(a)(2)(A)(i).

Proceedings Governed.

1. This Stipulation applies to the class action captioned above and styled *In Re Alta Mesa Resources, Inc. Securities Litigation* Case No. 4:19-cv-00957 (S.D. Tex.) and all actions consolidated therewith, including the Alyeska Action and Orbis Action.

Deposition Event Limitations.

2. The Parties agree that Plaintiffs may depose the 38 fact witnesses identified in the separate schedule that Plaintiffs provided to Defendants (the “Deponent Schedule”) but which will not be filed with the Court to protect the privacy of the witnesses.

3. The Parties further agree that Defendants may depose (a) any of the 38 witnesses on the Deponent Schedule that Plaintiffs do not depose; (b) any of the individuals identified in Plaintiffs’ initial disclosures or complaints; (c) witnesses from any third party that has produced, or has been or might in the future be requested to produce, documents in this litigation; (d) witnesses from any other third parties who audited or assisted in valuation work relating to the transaction or parties at issue; and (e) witnesses from the Alyeska Plaintiffs and Orbis Plaintiffs.

4. The Parties will endeavor to depose each witness only once. To that end, any party may ask questions at the deposition of any witnesses following the conclusion of the

noticing or subpoenaing party's examination without service of an additional notice or subpoena.

5. Plaintiffs will depose Defendants Coats and/or Walker after March 15, 2023, but before the close of fact discovery, for up to four hours each, if Plaintiffs still deem such testimony necessary notwithstanding the benefit of the intervening depositions.

6. Defendant ARM Energy's deposition pursuant to Rule 30(b)(6) shall be conducted concurrently with the individual depositions of its two designated corporate representatives over a period of two days, total (not necessarily consecutive).

7. The parties reserve all rights to seek leave of Court to depose additional witnesses beyond those currently contemplated by the Parties as outlined above. Each party reserves all rights to oppose any such request in whole or in part.

Dated: January 23, 2023

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that on January 23, 2023, a true and correct copy of the foregoing document was filed with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record.

/s/ Andrew J. Entwistle

Andrew J. Entwistle